THE HONOURABLE SRI JUSTICE P.S.NARAYANA

W.P.No. 15956 of 2006
Dated: 01-08-2006

Between:
Kethu Obaiah Petitioner

And
The State Election Commission, A.P. and others Respondents

THE HONOURABLE SRI JUSTICE P.S.NARAYANA

W.P.No. 15956 of 2006

ORDER:

1. The disqualification raised is that the provisions of Section 19(3) of the A.P. Panchayatraj Act,1994 would be attracted.

2. The writ petition is filed for a Writ of Mandamus declaring the action of the respondents 2 and 3 in not disqualifying the respondent No.4 for the post of Sarpanch, Cumbum village, under Section 19(3) of the A.P.Panchayatraj Act 1994 as illegal and arbitrary and consequently declare the respondent No.4 as disqualified for the post of Sarpanch, Cumbum and pass such other suitable orders.

3. Several factual details had been narrated. These aspects may have to be gone at the appropriate stage inasmuch as predominantly this is a question of fact, this court cannot verify these aspects at this stage. The petitioner is having remedy by way of election petition.

4. With the above observation, the writ petition is disposed of. No order as to costs.

01-08-2006

Stp